

922 B A-N

21 July 1950

MEMORANDUM TO THE FILES

SUBJECT: Brunswick Case

1. Discussed the Brunswick case with Mr. Day, Foreign Service Finance Office, on the annuity desk, and there is still some confusion as to the recognition which GAO may give to the decision.

2. In a recent case in which a Foreign Service Officer was retired for disability and subsequently employed by other agencies of the Government, a claim for reimbursement from his widow was not enforced since the payments were considered proper in view of the court stand in the Brunswick case. For reference, this is the case of a man named Atwood, and Mr. Day has a letter in his file, received in July 1949, from the Claims Division of GAO. There is still no indication, of course, that the Comptroller General will concur in the acceptance of the Brunswick doctrine, and it is perfectly conceivable that the Comptroller's office and the Claims Division of GAO might have two entirely divergent views.

STATINTL



18 DEC 1950

*The Comp Gen has cited the Brunswick case, with apparent approval, at least twice. See 20 C.G. 443, at 447, and 21 G.C. 1125, at 1127.*

STATINTL



State Dept. declassification & release instructions on file

See memo to files

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